

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
EASTERN DIVISION**

**CHRISTOPHER BLAIR DESHAUN ROBINSON,  
ADC #164517**

**PLAINTIFF**

**V. CASE NO. 2:18-CV-44-DPM-BD**

**ANDREWS, et al.**

**DEFENDANTS**

**RECOMMENDED DISPOSITION**

**I. Procedures for Filing Objections:**

This Recommended Disposition (“Recommendation”) has been sent to Judge D.P. Marshall Jr. Mr. Robinson is free to file written objections to this Recommendation. Objections must be specific and must include the factual or legal basis for the objection.

Your objections must be received in the office of the Court Clerk within 14 days of this Recommendation. If no objections are filed, Judge Marshall can adopt this Recommendation without independently reviewing the record. By not objecting, Mr. Robinson risks waiving the right to appeal questions of fact.

**II. Discussion:**

On March 7, 2018, Plaintiff Christopher Blair Deshaun Robinson, an Arkansas Department of Correction (“ADC”) inmate, filed this case *pro se* under 42 U.S.C. § 1983. (Docket entry #2) Mr. Robinson also moved to proceed *in forma pauperis* (“IFP”) (#1) and for a preliminary injunction and temporary restraining order (#3). Because of his litigation history, Mr. Robinson is not eligible for IFP status in federal court absent an

allegation that he is in imminent danger of serious physical injury.<sup>1</sup> Here, Mr. Robinson did not plead facts that would lead the Court to conclude that he was in imminent danger of serious physical injury. For that reason, his motion to proceed IFP was denied. (#4)

The Court allowed Mr. Robinson thirty days to pay the \$400 filing fee in order to proceed with this lawsuit. (#4) Mr. Robinson was specifically cautioned that his failure to pay the filing fee could result in dismissal of his claims, without prejudice. To date, Mr. Robinson has not paid the filing fee, as required in the Court's March 8, 2018 Order, and the time for addressing the filing fee requirement has expired.

### **III. Conclusion:**

The Court recommends that Mr. Robinson's claims be DISMISSED, without prejudice, and that his motion for preliminary injunction and temporary restraining order (#3) be DENIED as moot based on his failure to comply with the Court's March 8, 2018 Order requiring him to pay the filing fee.

IT IS SO ORDERED, this 9th day of April, 2018.

  
UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup>The following dismissals constitute "strikes" against Mr. Robinson for purposes of determining eligibility for IFP status: *Robinson v. Atkins*, et al., E.D. Ark. Case No. 4:16-cv-548-JM; *Robinson v. Brooks*, et al., E.D. Ark. Case No. 5:17-cv-101-JLH; *Robinson v. Johnson*, et al., E.D. Ark. Case No. 4:17-cv-189-KGB.